UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,500	12/28/2000	Marc Epstein	300/1	6952

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EXAMINER
EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/750,500	EPSTEIN ET AL.
	Examiner	**Art Unit**	
	Hussein A El-chanti	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*14 February 2005*</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.
   4a) Of the above claim(s) *24 and 28* is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-23, 25-27 and 29-38* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *14 February 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to RCE received Feb. 14, 2005. Claims 8, 13, 19, 22,

27, 29 and 32-38 were amended. Claims 24 and 28 were canceled. Claims 1-23, 25-27

and 29-38 are pending examination.

Drawings

2.   The drawings were received on Feb. 14, 2005. These drawings are acceptable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-23, 25-27 and 29-38 are rejected under 35 U.S.C. 102(e) as being

anticipated by Sixtus, U.S. Patent No. 5,903,721.

Sixtus teaches the invention as claimed including a system and method for

sending a transaction verification request to a trust server computer interconnected to

the computer network (see abstract).

As to claims 1, 23, 25 and 31, Sixtus teaches a method of providing services

from a service provider to a plurality of independent entities, the method comprising:

facilitating, on a first set of one or more servers of said service provider, a first set

of services that require said first set of one or more servers to trust said independent

entities (see col. 6 lines 33-52, trust server trusts the user);

facilitating, on a second set of one or more servers of said service provider, a

second set of services that require said independent entities to trust said second set of

one or more servers (see col. 6 lines 53-65, user trusts the vendor servers); and

providing said first and second set of services to said independent entities (see

col. 6 lines 53-65).

As to claim 2, Sixtus teaches the method of claim 1 wherein a trust is established

so that said first set of servers trusts said second set of servers (see col. 6 lines 33-65).

As to claims 3 and 21, Sixtus teaches the method of claim 2 wherein said first set

of servers provides data services and wherein said second set of services provides

management and configuration services (see col. 6 lines 33-65).

As to claim 4, Sixtus teaches the method of claim 3 wherein each of said

independent entities is organized as a single forest (see col. 6 lines 7-25).

As to claim 5, Sixtus teaches the method of claims 3 or 4 wherein each of said

entities is organized as a single domain (see col. col. 5 lines 60-67).

As to claims 6 and 10, Sixtus teaches the method of claim 3 wherein at least one

of said independent entities is embodied as a forest of computers that spans multiple

customer sites (see col. 6 lines 7-25).

As to claims 7, 12, 13 and 20, Sixtus teaches the method of claim 1 wherein said

first set of services comprises at least one of the following: virus protection services,

remote access, backup, software sharing, and telephony services, and wherein said

second set of services comprises at least one of the following: security, password

management, software update, software distribution, access control (see col. 7 lines 25-

col. 8 lines 4).

As to claim 8, Sixtus teaches a system for providing computer services a to

plurality of remotely located computers, the network comprising: a service forest for

providing data services to said remotely located computers; a management and

configuration forest for providing management and configuration services to said

remotely located computers; said management and configuration forest and said

service forest being separate from each other (see col. 7 lines 25-col. 8 lines 4).

As to claims 11 and 30, Sixtus teaches a network of computers comprising a

service forest that trusts and provides services to a plurality of independent remotely

located user computers, wherein the user computers trust and are managed and

configured by a management forest of computers, and wherein the service forest trusts

the management forest (see col. 6 lines 7-65).

As to claim 14, Sixtus teaches a computer service center comprising plural

computers that implement services to numerous remotely located computers, and

wherein services that require said remotely located computers to trust said service

center are separate from computers implementing services requiring said service center

to trust said remotely located computers, thereby avoiding any two way trusts (see col. 6 lines 7-65).

As to claim 15, Sixtus teaches the service center of claim 14 wherein said remotely located computers are arranged into groups, each group communicating on a local area network and being associated with an independent entity (see col. 6 lines 7-65).

As to claims 16 and 26, Sixtus teaches the computer service center of claim 11 wherein computers in the service forest communicate with a telephone network (see col. 7 lines 25-67).

As to claim 17, Sixtus teaches the computer service center of claim 16 wherein computers in the service forest communicate with the data network (see col. 6 lines 7-65).

As to claim 18, Sixtus teaches the computer service center of claim 16 wherein computers in the service forest provide data backup services for said remotely located user computers (see col. 6 lines 7-65).

As to claim 19, Sixtus teaches a method of providing computer services to plural remote customers comprising the steps of: classifying services to be provided to such customers as either services requiring customers to trust a service provider, or services requiring the service provider to trust said customer; and in response to said step of classifying, determining from what computer or group of computers to provide said services (see col. 6 lines 7-65).

As to claim 22, Sixtus teaches a method of providing services to a plurality of serviced entities from a service provider, the method comprising: defining a one way relationship; separating a first type of services wherein said relationship runs from the service provider to the serviced entity from a second type of services wherein the relationship runs from the serviced entity to the service provider, and separately implementing said first and second types of services (see col. 6 lines 7-65).

As to claims 27 and 9, Sixtus teaches apparatus for providing services to plural entities, said apparatus comprising: plural devices to be serviced; a first set of servers for providing a first set of services to said devices, said first set of servers having a one way predetermined relationship with said devices to be serviced; a second set of servers for providing a second set of services to said devices, said devices having said one way relationship with said second set of services (see col. 6 lines 7-65).

As to claim 29, Sixtus teaches apparatus of claim 28 wherein said devices are customer computers, and wherein said service provider is a remote IT services provider (see col. 6 lines 7-65).

As to claim 32, Sixtus teaches a method of providing services from a service provider to a plurality of independent entities, the method comprising:

facilitating, on a first set of one or more servers of said service provider, a first set of services that require said first set of one or more servers to trust said independent entities (see col. 3 lines 56-col. 4 lines 17, col. 4 lines 59-col. 5 lines 5);

facilitating, on a second set of one or more servers of said service provider, a

second set of services that require said independent entities to trust said second set of

one or more servers (see col. 3 lines 56-col. 4 lines 17, col. 4 lines 59-col. 5 lines 5,

trust s achieved between the server and the client by allocating separate resources to

distinct clients, client requests resources and servers allocate requested resources to

clients); and

providing said first and second set of services to said independent entities (see

col. 3 lines 56-col. 4 lines 17, col. 4 lines 59-col. 5 lines 5).

As to claim 33, Sixtus teaches the method of claim 8 wherein said management

and configuration forest does not trust said service forest (see col. 6 lines 7-65).

As to claim 34, Sixtus teaches the network of claim 11 wherein said management

forest does not trust said service forest (see col. 6 lines 7-65).

As to claim 35, Sixtus teaches the center of claim 14 wherein said computers

implementing services that require said remotely located computers to trust said service

center do not trust said computers implementing services requiring said service center

to trust said remotely located computers (see col. 6 lines 7-65).

As to claim 36, Sixtus teaches the method of claim 19 wherein said services

requiring said customers to trust said service provider do not trust said services

requiring said service provider to trust said customers (see col. 6 lines 7-65).

As to claim 37, Sixtus teaches the method of claim 2 wherein no relationship runs

from said second type of services to said first type of services (see col. 6 lines 7-65).

As to claim 38, Sixtus teaches apparatus of claim 27 wherein said second set of servers do not have said one way relationship with said first set of servers (see col. 6 lines 7-65).

Response to Arguments

4.   Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein Elchanti

SALEH NAJJAR

PRIMARY EXAMINER